

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

Dawn Carter, as personal representative of)
the Estate of Jereme Loydd Mortinson,)
deceased, and Dawn Carter, on behalf of)
the heirs and next of kin of Jereme Loydd)
Mortinson, deceased,)

Plaintiffs,)

vs.)

EOG Resources, Inc. and,)
Crude Processing Inc.,)

Defendants.)

**ORDER CLARIFYING
STATUS OF PARTIES**

Case No. 4:12-cv-003

EOG Resources, Inc.,)

Third-Party Plaintiff,)

vs.)

S&S Sales 2008, Inc.,)

Third-Party Defendant.)

S&S Sales 2008, Inc.,)

Fourth-Party Plaintiff,)

vs.)

RES Investments, LLC,)

Fourth-Party Defendant.)

On February 25, 2014, the court held a telephonic status conference to clarify which parties remain in this action. Jeffrey Scott Weikum appeared on behalf of plaintiffs. Larry L. Boschee

appeared on behalf of defendant EOG Resources, Inc. Jason R. Vendsel appeared on behalf of defendant CCS Midstream Services, LLC. Kasey D. McNary appeared on behalf of defendant Crude Processing, Inc. Robert Stock appeared on behalf of defendant Halliburton Energy Services, Inc. Tia C. Ghattas appeared on behalf of third-party defendant S&S Sales 2008, Inc. Thomas R. Olson appeared on behalf of fourth-party defendant RES Investments, LLC.

On December 12, 2011, plaintiffs filed a complaint in state court in Williams County, North Dakota naming defendants EOG Resources, Inc.; Crude Processing, Inc.; Superior Well Services, Inc.; and Halliburton Energy Services, Inc. On December 15, 2011, plaintiffs filed an amended complaint naming defendants EOG Resources, Inc.; Crude Processing, Inc. n/k/a/ CCS Midstream Services, LLC; Superior Well Services, Inc.; and Halliburton Energy Services, Inc. The amended complaint indicated that following the incident at issue, CCS Midstream, LLC (“CCS Midstream”) acquired Crude Processing, Inc. (“Crude Processing”). CCS Midstream is now known as Tervita LLC.

The case was removed to this court on January 10, 2012. When the case was docketed, CCS Midstream and Crude Processing were added as a single defendant. However, during the status conference, the parties clarified that CCS Midstream and Crude Processing were served as separate defendants. The parties further clarified that attorney Jason R. Vendsel represents CCS Midstream and attorneys Kasey D. McNary and Ronald H. McLean represent Crude Processing. The parties agreed that plaintiffs’ claims against defendants EOG Resources and Crude Processing remain pending and that plaintiffs’ claims against CCS Midstream, Superior Well Services, and Halliburton were dismissed without prejudice pursuant to the court’s September 28, 2012 order adopting the parties’ stipulation for dismissal. In addition, EOG Resources has a pending third-party claim

against S&S Sales, and S&S Sales has a pending fourth-party claim against RES Investments.

Due to the limitations of the court's electronic filing system, the court cannot create separate defendant entries for Crude Processing and CCS Midstream at this stage of the proceedings. However, the court will remove the entry indicating that Crude Processing was terminated as a party on September 28, 2012, and future orders will reflect that Crude Processing and CCS Midstream are separate defendants.

Dated this 25th day of February, 2014.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr., Magistrate Judge
United States District Court